APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
09/025,155	02/18/98	CRAGUN	B	R09-97-195

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EXAMINER	
BULLOCK JR,L	
ART UNIT	**PAPER NUMBER**
2755	10

DATE MAILED:
09/12/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

	Application No.	Applicant(s)
Advisory Action	09/025,155	CRAGUN
	Examiner	Group Art Unit
	Lewis Bullock, Jr.	2755

THE PERIOD FOR RESPONSE: [check only a) or b)]

a) ☐ expires _____ months from the mailing date of the final rejection.

b) ☒ expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

☐ Appellant's Brief is due two months from the date of the Notice of Appeal filed on _____ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on *Aug 11, 2000* **has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:**

☐ The proposed amendment(s):

    ☐ will be entered upon filing of a Notice of Appeal and an Appeal Brief.

    ☐ will not be entered because:

        ☐ they raise new issues that would require further consideration and/or search. (See note below).

        ☐ they raise the issue of new matter. (See note below).

        ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.

        ☐ they present additional claims without cancelling a corresponding number of finally rejected claims.

    NOTE: _____

    _____

    _____

☐ Applicant's response has overcome the following rejection(s): _____

_____

☐ Newly proposed or amended claims _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

☒ The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See attachment. _____

_____

☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

☒ For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: _____

Claims objected to: _____

Claims rejected: *28-48* _____

☐ The proposed drawing correction filed on _____ ☐ has ☐ has not been approved by the Examiner.

☐ Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). _____ .

☐ Other

ALVIN E. OBERLEY
SUPERVISORY PATENT EXAMINER
GROUP 2700

Applicant has argued with regards to claims 28, 35, and 42, that their is no teaching of

Slotznick in swapping focus from the Web browser to another existing multi-tasking application.

However, there is no mention of the term "web browser" in the claim language. The claim

language states that focus is swapped from a communication application to a multi-tasking

application. The examiner believes that the communications application as claimed is not limited

to a web browser but includes any program that is capable of initiating a remote link and a multi-

tasking application as any program executing simultaneous with the communications application.

Slotznick teaches two processes wherein one displays trailer information (multitasking

application) and the other is getting new data (communications application) (Col. 23, lines 34-40).

The processes are essentially the programs capable of displaying their respective data. Therefore,

the examiner believes that the processes as defined meet the limitations of the communication and

multitasking application as claimed.

Applicant has also argued that the swapping of windows is not interchangeable with the

swapping of applications. The examiner is clarifying that the process capable of displaying the

data in a window is in fact the application such as two processes that switch from the foreground

to the background when one process performs a remote access as disclosed at Col. 23, line 33-

Col. 24, line 9.

Applicant has also argued with regards to claims 30, 37, and 44, that there is no teaching

of switching focus back to the communications application after a predetermined time period.

The examiner disagrees. Slotznick teaches several passages, for instance Col. 26, lines 5-18,

wherein the display of the newly received primary information is initiated upon the direction of the

user or after a predetermined period of time.

Applicant has also argued with regards to claims 32, 39, and 46, that there is no teaching

of switching focus to a previously utilized application. The examiner disagrees. At Col. 23, line

33-Col. 24, line 9, Slotznick teaches two processes, one retrieving data from a remote source and

another displaying data, which perform focus changes between each other when a remote data

request is initiated. It is obvious that the process which displayed the secondary data would be

previously utilized to the process which displays the primary data and vice versa since they switch

to the other when new primary data is received, after a predetermined time period, or at the user's

descretion. It would be obvious that one would have to identify the other in order to determine

which process is now in the foreground.

Lastly, Applicant has argued with regards to claims 33, 40, and 47 that there is no

teaching of an application ring that lists preferred applications for receiving focus. The examiner

disagrees. At Col. 23, line 33-Col. 24, line 9, Slotznick teaches two processes, one retrieving

data from a remote source and another displaying data, which perform focus changes between

each other when a remote data request is initiated. Slotznick also teaches that a process

displaying primary data could also store keyhole images of secondary data and upon requesting

new primary data from a remote source, a full image of one or both of the secondary data is

displayed (Col. 29, lines 62-Col. 30, line 3; Col. 30, lines 24-34). Therefore, it is obvious that the

keyhole images could be stored in a list and once a remote data request is initiated it can be

determined which process that displays secondary data executes next.

   Therefore, the examiner believes that Slotznick adequately teaches applicant's invention as

claimed.